## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS

## **BEAUMONT DIVISION**

JOSE GUERRERO	§	
VS.	<b>§</b>	CIVIL ACTION NO. 1:18-CV-240
UNITED STATES OF AMERICA	§	

## MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Jose Guerrero, an inmate currently confined at USP Beaumont, proceeding *pro se*, filed this tort claim pursuant to 28 U.S.C. § 1346 against the United States of America.

The Court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends this tort claim be dismissed for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge have been filed to date.

## **ORDER**

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A Final Judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

**SIGNED** this the 2 day of January, 2019.

Thad Heartfield

United States District Judge